REMARKS

Claims 10-24 as submitted are pending. Claims 10, 16, 20 and 23 have been amended. Entry and consideration of the present amendments is requested. The amendments to the claims are supported in the specification at page 6, ll. 23-25 and page 10, ll. 7-11.

Amendments to the Specification

The Abstract of the Disclosure has been objected to as exceeding 150 words in length. The specification has been amended to obviate this objection. Withdraw of the objection is requested in view of the amendment.

Claims 10-13 are rendered obvious in view of *Mason et al.* and *Lee et al.*

Claims 10-13 stand rejected under 35 U.S.C. § 103, as being obvious in view of *Mason et al.* (US 4,886,513) in combination with *Lee et al.* (US 6,015,934). Applicants respectfully traverse this rejection.

Applicants claim an absorbent article that resists creasing, even after having been packaged in a double or tri-folded configuration. Previous articles have either been 1) resistant to deformation during wearing (*Mason et al.*), or 2) folded in an individually wrapped pouch (*Lee et al.*), but the references cited do not disclose an absorbent article with an absorbent core that is resistant to creasing, even after having been subjected to the pressure of a folding machine (approximately 2800 psi).

Mason et al. teaches the use of a "flexibly stiff, springy, substantially nonelastic reinforcing member that extends generally around the periphery of the pad." (col. 3, ll. 10-13). The pad resists bunching and twisting and if bunching and twisting takes place, they are able to return to the desired shape because of the reinforcing member. (col. 2, ll. 64-67). It would not have been obvious to one of skill in the art to use the reinforcing member disclosed in *Mason* with the claimed invention. First, the reinforcing member is directed to maintaining the overall shape of a pad and is desirably is located in the crotch section of the pad, where shape retention is most desired. Moreover, positioning the reinforcing member in the crotch region of the pad minimizes any stiffness in the ends of the pads. (col. 3, ll. 40-46). Conversely, as shown in FIG. 3, the first absorbent

layer or the "activating member" is not positioned only in the "crotch region" of the absorbent article, as defined in applicants specification (p. 5, ll. 24-29). Certainly, if the activating member where positioned only in the crotch region of the absorbent article, the article, when double or triple folded and inserted in to a packaging component may not be resistant to creases at all of the fold line areas. *Mason* discloses materials such as spring wire, plastic-coated spring steel wire, and mid-density polyethylene members. (col. 5, l. 67 – col. 6, l. 2). One of skill in the art would not have used such materials to form a crease resistant absorbent article. Such materials would hold a permanent crease when subjected to 2800 psi of folded pressure.

Moreover, *Mason* does not teach or suggest the use of a packaging component with the use of an absorbent article. It would not have been obvious to one of skill in the art to fold the pad of *Mason* and insert it into an individual packaging component because it may have irreparably damages the "stiff, springy, shape-retaining, and substantially-nonelastic" properties of the disclosed reinforcing member. (col. 5, ll. 60-65).

Indeed *Mason* teaches a pad that resists bending and twisting when in use, generally in the longitudinal direction. (col. 2, l. 63 – col. 3, l. 2). Therefore, in view of the current amendments, test data discussed below, and the foregoing remarks, Applicants respectfully request the Examiner to withdraw the instant rejection. The additional reference cited by the Examiner, *Lee et al.*, teaches nothing that would remedy the deficiencies of *Mason et al.*

Claims 10-13 are not rendered obvious by *Rainville-Lonn et al.* and *Lee et al.*

Claims 10-13 stand rejected under 35 U.S.C. § 103 as being obvious over *Rainville-Lonn* in view of *Lee*. This rejection has been overcome by appropriate amendment. Applicants have amended independent claim 10 to include an absorbent article that resists permanent creasing, even after having been packaged in a double or tri-folded configuration. The references cited do not disclose an absorbent article that is resistant to creasing, even after having been subjected to the pressure of a folding machine (approximately 2800 psi).

Rainville-Lonn teaches the use of an absorbent article with a raised peripheral wall, which is elevated to prevent the absorbent layer in the concavity of the absorbent pad from coming into contact with skin of the person (p. 1, ¶ 008). *Rainville-Lonn* does not teach or suggest the use of a packaging component with the use of an absorbent article. Moreover, there is nothing in *Rainville-Lonn* that would suggest to one of skill in the art that the disclosed pad would withstand the creasing when subjected to the pressure recited by the claimed invention. Indeed, there is no teaching about the material to be used in the outer contour rib. Without knowing what material is being used in this outer rib, it is impossible for the Applicants, or anyone skilled in the art, to be enabled by *Rainville-Lonn* to practice the recited features of the claimed invention. Moreover, there is nothing to suggest that when folded, the disclosed article of *Rainville-Lonn* would not form a permanent crease under recited pressure variables. This is especially true because the pad disclosed uses conventional absorbent materials, such as high-absorption polyester. (p. 2, ¶ 0019). Accordingly, one of skill in the art would not have folded the disclosed pad into an individual packaging and expected it to resist permanent creasing, as does the absorbent article of the present invention. Therefore, in view of the current amendments, the test data discussed below, and the foregoing remarks, Applicants respectfully request the Examiner to withdraw the instant rejection.

Applicants test data shows that it would not have been obvious to combine the teachings of *Mason* and *Rainville-Lonn* with *Lee et al.*

Applicants disclose test data that describes absorbent articles used in the crease resistant tests and their results. (p. 11, l. 21 – p. 18, l. 10). The results of the crease testing show that conventional products remain folded, even after release from the folded condition and have angles that are less than 90°. The examples of the claimed invention, however, create angles that are greater than 90, effectively resisting creasing after being subjected to 2800 psi of applied pressure. Therefore, one of ordinary skill in the art, would not expect an individually packaged absorbent article to resist permanent creasing, as does the article of the claimed invention.

Moreover, those articles, such as the articles disclosed by Mason and Rainville-Lonn, would be even more subject to permanent creasing, given the stiffness of the individual articles construction. It would be clear to one of skill in the art that if these

articles were subjected to the claimed pressure, the resistant materials would either permanently crease and/or break.

Claims 14 and 16-21 are not obvious in view of *Rainville-Lonn, Mason*, and *Lee*

Claims 14 and 16-21 stand rejected under 35 U.S.C. § 103 in view of *Rainville-Lonn* and further in view of *Mason* and *Lee*. As discussed above, the rejection has been obviated by appropriate amendment. Independent claims 10, 16, and 22 include an absorbent core that is resistant to permanent creasing. As discussed above, none references teaches or suggests, either alone or in combination, that the disclosed articles would withstand the recited pressure tests without forming a permanent crease or breaking. Therefore, Applicants respectfully request this rejection be withdrawn.

Claims 15 and 22-24 are not obvious in view of *Rainville-Lonn, Mason, Lee* and *Tanzer*

Claims 14 and 16-21 stand rejected under 35 U.S.C. § 103 in view of *Rainville-Lonn*, *Mason, Lee,* and further in view of *Tanzer*. As discussed above, the rejection has been obviated by appropriate amendment. Independent claims 10, 16, and 22 include an absorbent core that resists permanent creasing. *Rainville-Lonn, Lee,* and *Mason* do not teach or suggest each and every feature of the recited claims. *Tanzer* does not remedy these deficiencies.

Specifically, *Tanzer* is directed to an absorbent article, such as a diaper, in which the absorbent function is integrated into either the surge material or the outer cover material, thus eliminating the need for a separate central absorbent composite. (col. 2, ll. 34-38). Pockets are formed in either the surge material or the outer cover and superabsorbent fills the pockets. (col. 3, ll. 31). It would not have been obvious to combine *Tanzer* with the multi-layer absorbent articles of *Mason and Rainville-Lonn* because it would defeat the purpose of *Tanzer,* to have one single layer in between a cover and baffle layer.

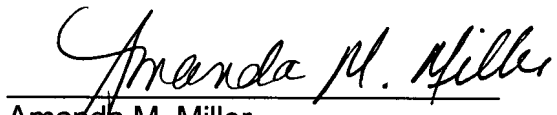
Moreover, *Tanzer* does not teach or suggest the use of an activating member to create independent movement of a folded article from a folded to an unfolded condition or the use of a packaging component with the disclosed article. *Tanzer* does not disclose a folded article at all, but rather a diaper, presumably not packaged in

individual wrappers. Therefore, every teaching of *Tanzer* would have led one of skill in the art away from the claimed invention, not made it obvious in view of it. Even if combined, the references do not teach or suggest each and every element of the claimed invention. Applicants respectfully request this rejection be withdrawn.

SUMMARY

Claims 10-24, as amended, are now in condition for allowance. Applicants respectfully request the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,



Amanda M. Miller
Registration No. 52,469
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4787